

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden  
: Crim. No. 07-403 (KSH)  
v. :  
: CONTINUANCE ORDER  
JERRY SERRANO, :  
a/k/a "Jay," and :

This matter having come before the Court on the joint application of Christopher J. Christie, United States Attorney for the District of New Jersey (by David E. Malagold, Assistant U.S. Attorney), and defendant Jerry Serrano (by Samuel Deluca, Esq.) for an order granting a continuance of the proceedings in the above-captioned matter, and defendant being aware he has the right to have the matter brought to trial within 70 days of the date of the indictment pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has requested and consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

- i. Plea negotiations regarding a possible disposition are currently in progress, and both the United States and the defendant desire additional time to meet and confer regarding a disposition, which would render trial of this matter unnecessary and save judicial resources;

- ii. This case involves a large amount of discovery, including hundreds of intercepted conversations;
- iii. Counsel for the defendant will need additional time to review the conversations and prepare for trial. Defendant has recently hired new counsel who will need additional time to prepare;
- iv. Defendant has consented to and requested the aforementioned continuance;
- v. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial;
- vi. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(B)(i), failure to grant this continuance would result in a miscarriage of justice;
- viii. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(B)(iv), failure to grant this continuance would deny the counsel for the defendant and the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

WHEREFORE, on this 11<sup>th</sup> day of August, 2008.

IT IS ORDERED that trial in this matter is continued from August 11, 2008 to October 13, 2008;

IT IS FURTHER ORDERED that the period from August 11, 2008 through October 13, 2008, inclusive, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(8);

Pretrial motions shall be filed by September 22, 2008.

Opposition due September 29, 2008.

Motions hearing date set for October 6, 2008.

Nothing in this order shall preclude a finding that additional periods of time are excludable pursuant to the Speedy Trial Act of 1974.

A handwritten signature in black ink, appearing to read 'Katharine S. Hayden', with a long horizontal flourish extending to the right.

HON. KATHARINE S. HAYDEN  
United States District Judge